

**Mrs. Corinne W. Merwarth
1689 Justin Drive
Gambrills, MD 21054**

1637 00 NOV -2 A10 :54

October 30, 2000

**U.S. Food and Drug Administration
Dockets Management Branch
5600 Fishers Lane, Room 1061
Rockville, MD 20785**

To Whom It May Concern:

At the request of The Farm Sanctuary, I am taking time as a member to send a letter concerning the downed animal trade (Docket Number 98P-0151/CP1). Members are being asked to write FDA and request that The Farm Sanctuary's petition to prohibit the slaughter of downed animals be granted.

Attached for your information is a copy of the article in the Fall issue of Farm Sanctuary News. The article was extremely depressing to read. In order to sleep tonight, I was determined to at least take the time to try and do what I could to change this inhumane practice. (I still may not be able to sleep, having seen the pictures of downed animals.)

I appreciate the time you have taken to read my letter. And I hope that the Farm Sanctuary's petition is granted.

Sincerely,


Corinne W. Merwarth

98P-0151

C2651

NO DOWNERS CAMPAIGN

FARM SANCTUARY went to stockyards in Vermont to gather evidence for passage of state and federal downed animal protection legislation. Our investigation resulted in videotape documentation, photographs...and a new beginning.

STOCKYARD REPORT

VERMONT STOCKYARD INVESTIGATION - 3/27/00

Cows Observed:

■ One downed cow in a pen with about eight other cows. She was laying down, moaning. A cow stepped on her neck. I videotaped her.

■ At the veal auction, a stockyard worker told another stockyard worker that two cows wouldn't come out of the trailer. He told him to take a break and get the electric prod. One cow's head, neck and leg were falling out of the trailer onto the loading dock. Couldn't see the other cow.

About 20 minutes later, the stockyard worker came out and placed a chain around the leg of the cow that was falling out of the trailer. A stockyard worker pulled the truck forward. The cow was then on the loading dock. A stockyard worker drove the skidsteer to where she was and put her back end in the bucket and pushed her forward. She was barely able to stand and lost her footing a couple of times. Her knees were bloody from falling down. One stockyard worker electric prodded her and another used a cane. The first stockyard worker said she was just lazy because she wouldn't stand and called her dumb when she didn't want to go into the pen.

■ I asked what they did with downers. The stockyard worker said they wait until the next day to take them to the slaughterhouse. They use the skidsteer to load them. I asked how come...he said because there is still good meat on them.

Calves Observed:

■ There were three calves that got dragged into the ring by their legs. Two calves got up in the ring, one was bought...not sure about the other. An auction worker said to mark the third calf as dead and he tossed him through a small door onto the loading dock.

■ I went outside to see the calf, and a stockyard worker jokingly asked if I wanted him. I said "yes." He said, "Why? He's almost dead and won't make it." I got the calf.

STOCKYARD RESCUE

The dying calf arrived at our New York shelter bundled in blankets. He was too weak to even lift his head, and his temperature was too low to register on a thermometer. Our veterinarian administered emergency fluids, and a 24-hour watch began to keep the calf alive. Twelve hours after receiving fluids, he began suckling on a bottle, and soon he was standing. Our new

"miracle calf" was named Lazarus.

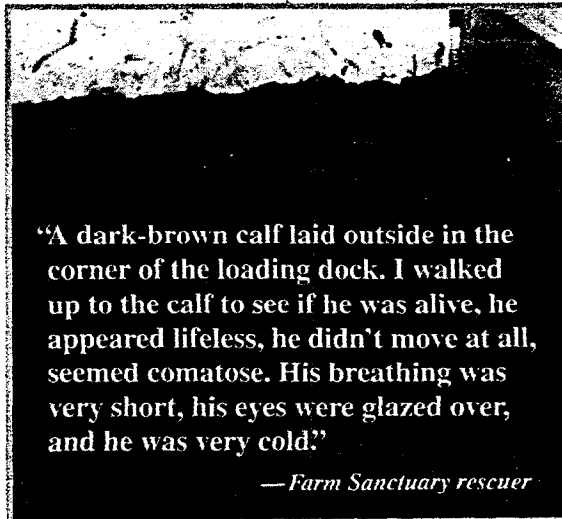
It soon became clear that Lazarus was an animal who found joy in every moment. He loved to "dance" through the fields by running and playfully kicking up his legs. At feeding times, Lazarus loved his bottle so much, he would run circles around shelter caregivers with all the excitement of a

four-year-old boy at a candy counter. Lazarus also loved to "play" with shelter cleaners by knocking over our mucking barrels...and occasionally, knocking over a shelter volunteer! Though he was a big, and growing boy, Lazarus always remained a kid at heart...and he won the heart of everyone who met him.

After months of shelter care, Lazarus was old enough to be placed into a loving, vegetarian adoptive home. Though we were sad to see him

go, we knew his adoption meant we could now open our shelter doors to one more suffering calf who desperately needs our help.

And it's back to the stockyards we go.



"A dark-brown calf laid outside in the corner of the loading dock. I walked up to the calf to see if he was alive, he appeared lifeless, he didn't move at all, seemed comatose. His breathing was very short, his eyes were glazed over, and he was very cold."

—Farm Sanctuary rescuer



Lazarus fully recovered

What YOU Can DO

Put up our **No Downers** educational poster in your workplace, or contact your local library for information on putting up an informational display.

NO DOWNERS

Downed animal and "downer" stockyard. A downer is any animal that is found dead or dying in a stockyard. These animals are often found in the most inhumane conditions, often in the most crowded and unsanitary conditions. They are often found in the most crowded and unsanitary conditions. They are often found in the most crowded and unsanitary conditions.

It is practically impossible to move downed animals humanely. They are routinely dragged with chains or pushed

with tractors and trucks or prodded with cattle prods and other devices and attempts to break bones and tear ligaments.

Existing laws do not adequately protect farm animals from inhumane cruelty or neglect. Downed animals have literally been discarded in trash cans or on piles of dead animals, and shockingly, this has been considered legal.

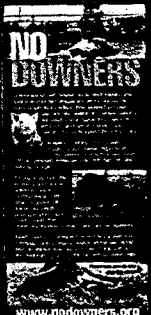
www.nodowners.org

Pass out our **No Downers** flyer to friends and family or show our video, *The Down Side of Livestock Marketing* (see p. 12 to order video).

No Downers Campaign Packet

5 posters (above)
500 flyers (at right)

\$10.00 includes S&H - send check or money order to: Farm Sanctuary, P.O. Box 150, Watkins Glen, NY 14891 (please specify for **No Downers** Campaign Packet)



Write to your congressional representatives and urge them to support federal downed animal protection legislation.

USDA Says "No Downers" in School Lunch Program

This summer, the USDA's Agricultural Marketing Service (AMS) reviewed and revised its policy regarding the purchase of ground beef for the National School Lunch Program (beginning in School Year 2000-2001) and other federal food and nutrition programs, and it has taken a major step in the direction of ending the downed animal trade. According to an agency statement, "USDA will no longer accept ground beef that includes product from non-ambulatory cattle, commonly known as 'downers'."



Carcasses originating from cattle which must be processed in accordance with *FSIS Directive 6900.1R1 - Humane Handling of Disabled Livestock*, issued November 2, 1998, must be segregated to assure that the product from these carcasses is not included in the USDA purchased ground beef."

This development shows a growing consensus—even among industry and government officials—that the marketing and slaughter of downed animals causes intolerable animal suffering and poses an unnecessary risk to human health.



Letters to FDA Urgently Needed!

Letters are urgently needed to end the downed animal trade. Please write to the Food and Drug Administration's Dockets Management Branch to urge that they grant our petition to prohibit the slaughter of downed animals—docket number 98P-0151/CP1. *It is critical that you include the docket number in your comment.*

Contact:

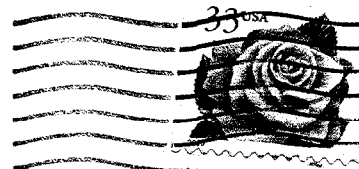
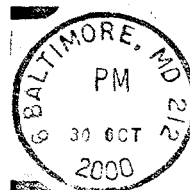
U.S. Food and Drug Administration
Dockets Management Branch
5600 Fishers Lane, Room 1061
Rockville, MD 20785
Fax: 301-827-6870
Email: FDADockets@oc.fda.gov

Some points to make include:

- Animals who are too sick or injured even to stand should not be allowed to enter the human food chain.
- In addition to posing an increased risk for bacterial contamination, there is evidence that some downed animals may be afflicted with a form of BSE (Bovine Spongiform Encephalopathy or "Mad Cow Disease"), a disease which has been linked to a fatal human illness (CJD or Creutzfeldt-Jakob Disease).
- It is practically impossible to move downed animals humanely, and they are typically pushed with tractors or dragged with chains—inhumane processes which cause injuries ranging from bruises and abrasions, to broken bones and torn ligaments.
- Downed animals comprise a very small percentage of animals slaughtered, and prohibiting their marketing will cause no undue economic hardship.
- Industry experts have estimated that 90% of downed animals can be prevented with better care and handling. Removing the market for downed animals will provide an incentive for the industry to prevent downed animals in the first place.



Ms. Corinne Merwarth
1689 Justin Dr.
Gambrills, MD 21054-2012



U.S. Food and Drug Administration
Dockets Management Branch
5600 Fishers Lane, Room 1061
Rockville, MD 20785

20852/1750

